



AMERICAN FARM BUREAU FEDERATION®

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July 27, 2004

Via E-Mail
opp-docket@epa.gov

Public Information and Records
Integrity Branch
Office of Pesticide Programs
U.S. Environmental Protection Agency
Crystal Mall 2
1801 Bell Street
Arlington, VA 22202

Re: Docket ID Number OPP-2004-0159

The American Farm Bureau Federation (AFBF) submits these comments on the U.S. Environmental Protection Agency's (EPA) "Metam Sodium Availability of Risk Assessments" (Risk Assessment), the availability of which was announced in the *Federal Register* on June 2, 2004.¹ Agricultural producers have used metam-sodium for many years because it is an effective, cost-efficient, and reliable soil fumigant. In light of the phase-out of methyl bromide, restrictions on the use of Telone (such as township caps in California), and practical limitations on pesticide use in general, many farmers depend on the availability of metam-sodium in order to consistently provide a robust and healthy domestic food supply. We urge the EPA to fairly review metam-sodium to ensure that it remains reasonably available for continued use.

AFBF supports the comments on the risk assessment submitted to EPA by the Metam-Sodium Alliance, which consists of the U.S. registrants of metam-sodium and metam-potassium. Our comments are intended to supplement the alliance's comments, and incorporate them by reference.

Upon issuing the revised risk assessment required by the end of August 2004, AFBF encourages EPA to clearly and firmly convey that its review of metam-sodium is preliminary and that no conclusions can be drawn or inferred from the revised risk assessment in its preliminary state. This is particularly true in light of the fact that EPA has scheduled a Scientific Advisory Panel (SAP) meeting in late August to consider the scientific merit of several emission models designed expressly for application to soil fumigants, including metam-sodium and metam-potassium. Additionally, EPA is scheduled to complete its reregistration review of metam-sodium in 2005. EPA's additional extensive review of metam-sodium through the reregistration eligibility decision (RED) process must not be overshadowed by EPA's need to comply with the terms of the NRDC consent agreement. Any action that jeopardizes the RED process is

¹ Metam Sodium: Occupational and Residential Exposure Assessment for the Reregistration Eligibility Decision Document. PC Code: 039003 and 068103. DP Barcode: D284269, 69 Fed. Reg. 31104 (June 2, 2004).

inconsistent with EPA's commitment to the deliberative, science-based process, which EPA reaffirmed on May 14, 2004.² Accordingly, EPA should clearly mark the risk assessment so that it advises the reader that the assessment is preliminary and no conclusions should be drawn from it. Additionally EPA should take any other appropriate steps to ensure the document is not interpreted to represent more than its preliminary screening-level status.

AFBF urges EPA to remove all modeling assumptions and modeled data and information from the risk assessment. The upcoming SAP will assess the scientific utility of several emission models designed for soil fumigants, including metam-sodium. Therefore, it would be inappropriate for EPA to prematurely disseminate even preliminary information while knowing that the current model used to derive such information is ill-suited to soil fumigants. Moreover, the registrants have supplied actual field data to EPA. EPA's policy is to use actual data when available, and since this actual data exists, modeled data should not be used.

We further urge EPA to eliminate the estimate of risk presented for each data point for post-application occupational workers and bystanders. EPA's presentation of risk in this manner, as opposed to the more traditional use of geometric mean air concentrations, is susceptible to multiple interpretations and could be misinterpreted to create unfounded concerns regarding metam-sodium applications.

AFBF appreciates this opportunity to comment on the risk assessment for metam-sodium and urges EPA to revise the document as suggested above and in the alliance's comments. Please let us know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Maslyn', with a stylized, cursive script.

Mark Maslyn
Executive Director
Public Policy

² 69 Fed. Reg. 26819 (May 14, 2004).